

SPECIAL CIVIL APPLICATION NO.8452 OF 1995.

Coram:-N.N.MATHUR,J.

Date:-19-10-1995.

Oral Order:-

By way of this Special Civil Application the petitioners seek directions to admission to them to the course of B.Tech.(Agricultural Engineering) in the College of Engineering and Technology, Gujarat Agricultural University, Junagadh. The petitioners' position is as follows:-

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|---|--------|------|
| 1. Rizwanuddin M.U. Siddiqi,            | 64.5%  | 139. |
| 2. Deepaksingh Umashankar,              | 65.0%  | 126  |
| 3. Sunilkumarsingh Ramnath,             | 61.67% | 193  |
| 4. Gurudeepsingh Satnamsingh,           | 67.96% | 84   |
| 5. Anilkumar Satyendranath<br>Tripathi, | 64.16% | 140  |

It is the further say of the petitioners that the candidate of Merit List No.201 has been given admission. It is stated that this is not only the incident which has been quoted but there are many more.

On Behalf of the University, Mr. M.K. Bhalala, has filed the affidavit in reply. It is stated that as per the Resolution at item No.72.3 the candidates who passed the Central Board of Secondary Education Examination, Delhi from the institution of Gujarat State in 10 + 2 pattern with Mathematics, Physics, Chemistry, Biology as the case may be with English and who fulfils the requirements as stated in the Regulation shall be admitted on prorata basis to the candidates passed the Gujarat Secondary Education Board Examination with the minimum prescribed standard of admission for the respective faculties. The prorata basis resolution has also been explained.

Mr. Padiwal, Learned Advocate, for the petitioner has contended that the prorata basis has not been provided in the prospectus. Mr. Padiwal, Learned Advocate, appearing for the petitioner has relied on the decision of this Court, reported in XX G.L.R. 614. Mr.Nanavati submits that the resolution pertaining to prorata basis finds place in the prospectus which reads as under:-

"Resolved that the candidates who passed  
the Central Board of Secondary Education

Examination, Delhi from the institutions of Gujarat State in 10 + 2 pattern with Mathematics, Physics, Chemistry, Biology as the case may be with English and who fulfil the requirements as stated in the regulation shall be admitted on prorata basis to the candidates passed the Gujarat Secondary Education with the minimum prescribed standard of admission for the respective faculties."

Considering the fact that the admission has been made on the basis of prorata basis as provided in the Resolution dated 19-1-1994 and it finds place in the syllabus. there is no merit in the contention raised by the learned Advocate for the petitioners.

In view of the aforesaid, there is no merit in this Special Civil Application and hence the same is rejected. Notice discharged.

It is, however, observed that if the seats are vacant, this decision will not come on the way of the petitioners. It will be open for the University to consider the case of the petitioners in accordance with the relevant Rules and Regulations.

Date:-19-10-1995. (N.N. MATHUR,J.)